

## PORT OF KIMBERLING MARINA & RESORT GENERAL RULES

All boats utilizing the Marina must be operated in accordance with rules established by the United States Government Army Corps of Engineers and the State of Missouri, in regard to navigable waters. All of the same boating rules apply to personal watercraft, including no wake zones.

**GENERAL SAFETY:** Boats shall be in seaworthy condition and not constitute a hazard. POK requires regular maintenance of boats to maintain seaworthy condition. U.S. Army Corps of Engineers regulation # 1130-2-57 (dated May 13, 2008) states that in the interest of public health and safety, there shall be no recreational activities (such as fishing, swimming and diving) within 50 feet of any commercial marina boat dock. You must maintain a serviced fire extinguisher in an easily accessible location on your boat at all times. Boats over 26' in length should have an extinguisher at opposite ends of the boat. Know how to use your extinguisher.

**REFUELING:** U.S. Army Corps of Engineers regulation #LRDOM 1130-2-6, #13 & #14 states that fueling of any boat will be done on approved sites only. **No boats or motors will be refueled while in a slip nor will petroleum products be allowed in slip areas, at the dry stack courtesy dock, or inside the marina.** Gasoline and petroleum products will only be dispensed at What's Up Dock where provisions for safe use of these products are provided. **No gas, gas cans or flammable liquid may be stored on any dock, boat or locker. Containers will be confiscated.**

**NO WAKE:** Please be a good neighbor and heed No Wake Buoys. Pursuant to Missouri law, you are and will be held responsible and liable for any damage that your boat/PWC wake causes to POK property or the property of others. POK enforces a good neighbor no wake policy to protect all boat owners' property as well as POK property. Boats in slips 30' and longer should idle out of the Schooner Creek cove (Piers 1 – 19) until they reach the mouth of the cove. Upon returning, completely shut down to no wake 100 feet to the south of the swim area. Similarly, shut down before the buoys at the mouth of the fuel dock cove and make an attempt to stay hundreds of feet away when crossing back and forth in the fuel dock cove. (See map on reverse.) If this policy is violated repeatedly, your lease may be terminated. Boats in the Marina shall comply with established speed limits.

**GRILLS:** Due to fire exposure, grills on docks and platforms are prohibited, whether in use or not; they may be kept on your boat.

**SANITATION/ENVIRONMENTAL:** POK shall have the right to inspect all boats in the Marina to determine seaworthiness and adherence to local and federal fire, environmental and safety requirements. **All boats with sewage systems must have sewage holding tanks. Y-valves for overboard discharge must be removed.** Sanitation inspections will be required every 2 to 3 years at POK's discretion. Pump-out facilities are available at the gas dock. **Absolutely no dumping of any sewage is permitted.** Your lease may be terminated for dumping overboard. POK retains the right to have customer supply certified inspection more frequently if needed. If we have to re-inspect your boat for any violations there will be a cost billed to your account. Proof of pump out purchase may be required for customers pumping out away from Marina facilities. You may not sand, strip or chip hull paint on or under the water; you may not scrape or use abrasives on hull paint under the water; you may not spray paint on the water. When cleaning, use environmentally safe products. You may not use cleaners that contain ammonia, lye, sodium hypochlorite, chlorine or petroleum distillates within the Marina property or on the water. Significant boat maintenance and cleaning may only be done in designated areas (generally, near Dry Stack). All hull-painted boats must use non-toxic, legal hull paint. POK prohibits dumping of bait into the water, please discard in dumpsters. Boats coming into the lake via Marina property must check the boat and trailer for invasive species (plants and animals), drain the boat and motor, and ensure that the boat is dry before entering.

**HOUSEKEEPING:** Boat owners shall not store garbage containers, supplies, material accessories or debris on any walkway or finger of a dock. **No garbage shall be stored in any boat in Dry Stack.** POK reserves the right to limit number and types of items stored on platforms; garbage containers shall not be kept on platforms. All garbage and trash shall be deposited appropriately. **Dumpsters are available for household garbage only**, no remodeling, batteries, wood, carpet, oil products of any kind especially filters. Any unapproved or large refuse should be disposed of by owner at an appropriate disposal site. Keep all open containers of liquid (paint, solvents, fuel) in secondary containment; unattended opened containers of such liquids are prohibited. Solvents, paints and varnishes may not be mixed, used or applied over the water.

**ANIMALS AND PETS:** Owners shall keep pets on leashes and maintain control of their pets. Owners are liable for the activities of their pets. Be courteous – please walk your pet off the main path, pick up your pets' waste, and **dispose of pet waste in the stations** placed throughout Marina property.

**PROPERTY DAMAGE:** Any person or Owner causing damage to Marina property while utilizing the Marina facilities shall be responsible for reporting damage to POK and for payment of costs to remedy damage.

**SOLICITATIONS:** No outside labor, craftsmen or supplier of goods or services may solicit business within Marina property.

**PAYMENT OF ACCOUNTS:** All rental and other charges billed by invoice from POK shall be due and payable within ten (10) days of the due date. Failure to pay within the specified time will result in a monthly service charge to be determined by

POK. Accounts in arrears may be subject to loss of rental space and/or boat removal at the Owner's expense. **No sub-leasing/loaning (for charge or not) of slips or transfer of boats between slips will be allowed without prior written permission of POK.**

**LEASE TERMINATION:** All leases are auto-renew leases and unless written notification of cancellation is received thirty days prior to its expiration date, the lease will renew itself another year. If owner does not wish to renew the lease, owner must provide written notification of lease termination.

**OUTSIDE LABOR:** Outside labor will be limited to boat and/or boat lift repairs. Outside laborers must be bonded and/or insured and current proof of insurance provided to POK Office. All laborers and deliveries must check in at POK office every day they are on site before proceeding with work. It is the Owner's responsibility to notify POK when and who they hire for maintenance and repairs.

**ACCESS:** DO NOT PARK DIRECTLY IN FRONT OF DOCK RAMP. POK personnel need clear access to move docks. Corps of Engineers also restricts certain areas. (Parking on grass is prohibited except as posted). From time to time your boat/lift may not be useable due to circumstances beyond our control, such as high or low water.

**HEATERS AND BATTERY CHARGERS:** All engine compartment heaters must be spark proof marine heaters and must be approved by POK prior to use. Conventional space heaters, coil heaters, light bulbs and heat lamps are specifically prohibited. Battery chargers must be marine grade equipped with a working automatic shutoff.

**NOISE:** No Owner or any guest shall conduct themselves in such a manner as to interfere with the enjoyment of the facilities by others. **QUIET TIME IS 10:00 P.M.** The definition of quiet shall be determined by POK management and/or POK security personnel. Prohibited conduct shall include but not be limited to the following: overly boisterous behavior, offensive loud or abusive language, loud noises such as stereo or television, the use of bright lights, emission of unpleasant odors from boat. A violation of this paragraph may result in the immediate expulsion of offending party/parties from the Marina, at POK management discretion, and/or immediate termination of the Owner's lease.

**TRAILERS:** Contact the POK office for temporary trailer parking. POK will issue a temporary tag for your trailer and it will be placed in the gravel lot directly above the marina office. Temporary is defined as 2 or 3 days. Additional days are available at a reasonable rate. Observe signs regarding trailer parking. **DO NOT PARK TRAILERS IN DOCK PARKING LOTS.**

**FAMILY/GUESTS:** Please make sure your family and guests understand these rules. You are completely responsible for your guests, so please inform them of proper parking, no wake zones, noise and other general rules. **Guests' boats cannot be tied to the docks overnight. If they need an overnight slip, they may check at the POK office for availability.** Do not allow your guests to use unoccupied slips. There are limit loads on ramps and docks for your safety and a limited number of people are allowed at a time.

**GATES:** Please keep gates locked unless you are carrying supplies. If someone is not an owner or guest they do not belong on the docks. Keep yourself and your neighbor's property more secure by using locks. *Do not tie gates open for any reason.*

**RENTAL RATES:** Rental rates shall be subject to change from time to time and will be posted in accordance with customary business practices.

**INSURANCE:** The Marina does not insure owner's boats, cars or personal property and further does not insure parties making use of the facilities or equipment of the Marina. All owners must provide the Marina office with current proof of property and liability insurance coverage equal to but not less than a limit of \$500,000 for boats in slips 12x30 and smaller or \$1,000,000 for boats in slips larger than 12x30 and all watercraft stored in Dry Stack, with POK listed as "Additional Interest or Certificate Holder".

**SECURITY PERSONNEL:** Security personnel walk each dock each night. Failure to heed their warnings or requests may be grounds for immediate removal from the Marina and termination of your lease.

**MOTORIZED VEHICLES:** Motorized vehicles, including but not limited to cars, trucks, golf carts, scooters, mopeds, and the like, may be used within Marina property as long as they are used in compliance with all laws and regulations, including driven only by licensed drivers 16 years of age and over, at posted speeds, on marked roads and parked in authorized parking areas. Personal motorized vehicles may be kept on Marina property short-term only, the definition of short-term may be amended at POK's discretion, but generally shall be no more than 4 consecutive days. Violators will be asked to discontinue use of motorized vehicles on Marina property. POK golf carts and other motorized vehicles may only be driven by POK personnel.

**PORT OF KIMBERLING MARINA & RESORT GENERAL RULES (continued)**

**WET SLIP ADDITIONAL RULES**

**ELECTRIC:** Electrical codes are very strict on the docks. No additions or alternations are allowed. Any alteration not accomplished by POK personnel will constitute a charge to slip renter or could result in termination of lease. **Extension cords must be rated for outdoor use, have grounded (3-prong) plugs, in good condition (i.e. no bare wires or frayed insulation) and be used temporarily (not plugged in for more than 12 hours).**

**WATER:** Freshwater and lake water are provided for your convenience on some docks. Only lake water may be used for cleaning and boat washing not fresh water. If you are not familiar with their locations, ask marina staff to assist you.

**POST BUMPERS:** All post bumpers must be purchased from POK and installed by POK personnel. Contact the office for info. Bumpers become part of the slip and may not be removed.

**DOCK BOXES:** Dock boxes may be purchased through the POK office. Only dock boxes approved by POK will be permitted with the exception of boxes that were placed before March 1, 2004, are within previous parameters, and with original owner. Dock boxes may not be permanently attached to dock. Placement of dock boxes is governed by POK.

**CARPET:** Carpet on the docks is not allowed. We will remove carpet and charge customer for labor.

**SLIP:** No attachments, antennas, satellite dishes, or modifications of any kind (ie. boat covers and/or tarps, buoys or bumpers) are allowed on the dock. POK reserves the right to limit lengths and number of boats moored in accordance with slip sizes. Platforms pre-approved and installed by POK become the property of POK.

**LIFTS:** POK reserves the right to limit lift companies and installers allowed. Some slips may also have depth restrictions placed on lifts. All lifts brought into the Marina, including personal watercraft lifts, must have prior authorization before installation.

**DRY STACK ADDITIONAL RULES**

For insurance and safety reasons, only authorized personnel are allowed inside Dry Stack buildings.

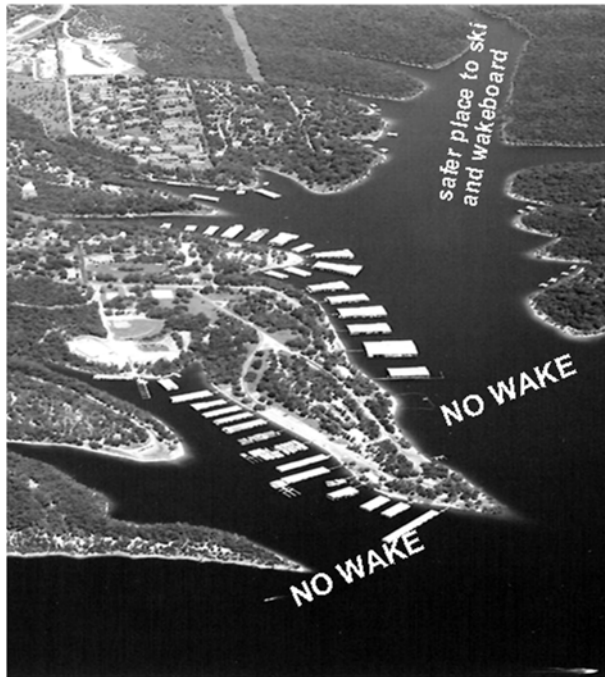
**CARTS/PARKING:** There are carts available if you need them for loading and unloading. Please return carts to designated area before leaving the dock. Please park your cars in the designated parking areas only.

**LAUNCHES/RETURNS:** The annual lease rent for Dry Stack includes 10 in/outs per month; additional launches will be charged to your account at the rate of \$10.00 per "round trip". Covered slips are for overnight use and are available on a first come first served basis. For security purposes, the covered docks are locked at night.

**RETURN PROCEDURES:** When returning to have your boat put away, please have the **Drive Down and Straight, Trim tabs up, bimini top folded down, and use stall closest to Dry Stack ramp (fill front to back). Always write your number down on the board provided to ensure that your boat is either put away or left out as you wish.**

**WINTERIZATION:** All boats in Dry Stack must be winterized before November 15th. Any boat not winterized by November 15<sup>th</sup> will be contracted at Owner's expense. POK does not assume any liability with regards to winterization.

**HOURS OF SERVICE:** Service hours vary seasonally. The Dry Stack building is closed from November 15<sup>th</sup> to March 15<sup>th</sup> each year and Owner's boat(s) housed in this area will not be available without an EXTRA CHARGE. **Dry Stack opens at 9:00 a.m. and closes at various times, depending on the month. If you require your boat to be out earlier than 9:00 a.m. you must call the day before, during normal business hours, to request the launch. To launch during normal business hours, call one (1) hour before you want your boat to be out.**



DRY STACK HOURS			
Your boat must be in the courtesy dock and ready to be put away 15 minutes before closing to be put away that night.			
March	Closed at 5:00 pm	September	Closed at 7:00 pm
April	Closed at 6:00 pm	October	Closed at 6:00 pm
May	Closed at 7:00 pm	November	Closed at 5:00 pm
Memorial Day through Labor Day Dry Stack closes at 8:00 p.m.			

**I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS AND AGREE TO ABIDE BY SUCH RULES. NON-ADHERANCE WILL BE GROUNDS FOR TERMINATION, AND APPLICABLE CHARGES MAY BE INCURRED.**

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

SPOUSE/PARTNER \_\_\_\_\_ DATE \_\_\_\_\_